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COMMITTEE ON ECONOMIC, SOCIAL AND
CULTURAL RIGHTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLES 16 AND 17 OF THE COVENANT

Concluding observations of the Committee on
Economic, Social And Cultural Rights

PORTUGAL

1. The Committee on Economic, Social and Cultural Rights considered the third periodic report of Portugal on articles 1 to 15 of the Covenant (E/1994/104/Add.20) at its 58th, 59th and 60th meetings, held on 14 and 15 November 2000, and, at its 74th meeting, held on 24 November 2000, adopted the following concluding observations.

A. Introduction

2. The Committee expresses its appreciation to the State party for the full and detailed report it submitted and for the additional information it provided orally and in writing during the constructive dialogue held by the members of the Committee and the delegation of Portugal.

B. Positive aspects

3. The Committee commends the State party on its efforts to implement the recommendations made in connection with its second periodic report, particularly legislative measures to promote equality between men and women introduced through law No. 105/97 of 13 September 1997.

4. The Committee welcomes the fact that the State party has indicated its strong support for an optional protocol to the Covenant and has ratified the Additional Protocol to the European Social Charter providing for a system of collective complaints.

5. The Committee welcomes the State party's decision to ratify International Labour Organization Convention No. 118 (Equality of Treatment (Social Security)).

6. The Committee commends the efforts the State party is making to promote the independence of East Timor and the substantial assistance it is providing to that United Nations-administered territory.

C. Factors and difficulties impeding the implementation of the Covenant

7. In the light of information submitted to it by the State party the Committee does not find any factors or particular difficulties that impede the full implementation of the Covenant.

D. Principal subjects of concern

8. The Committee regrets that approximately one fifth of the population of the State party still lives below the poverty line and that no comprehensive study of the problem of poverty has been undertaken by the State party.

9. The Committee is concerned about the lack of a national human rights plan in accordance with the recommendation contained in paragraph 71 of the 1993 Vienna Declaration and Programme of Action.

10. The Committee expresses its concern about the occurrence of child labour in breach of the State party's international obligations, in particular, its obligations under the Covenant.

11. The Committee expresses its concern about cases of intolerance and discrimination with regard to Roma people, refugees and immigrants. The Committee also notes with concern that foreign workers cannot enrol in the vocational guidance and training courses to which Portuguese workers are entitled.

12. The Committee expresses its concern at the persistence of discrimination against women in the fields of employment and equality of wages and opportunity with men. Another subject of concern is the phenomenon of violence against women, including marital violence.

13. The Committee is also concerned at the increase of trafficking in women which is linked to organized crime.

14. The Committee takes note with concern of the increase in paedophilia and child pornography. These phenomena are associated with the increase in drug trafficking and consumption and other criminal activities which endanger the security and health of the population of the State party.

15. The Committee notes with concern the relatively high school drop-out rates and the rate of high illiteracy in the State party.

E. Suggestions and recommendations

16. The Committee urges the State party to review its general strategy for the eradication of poverty and step up its activities to combat it.

17. The Committee calls on the State party to adopt a national human rights plan in accordance with paragraph 71 of the Vienna Declaration and Programme of Action, of 1993.

18. The Committee urges the State party to intensify its efforts to create a culture of tolerance and to eliminate all forms of discrimination, in so far as they affect women, Roma, asylum seekers and immigrants.

19. The Committee urges the State party to allow foreign workers to enrol in the vocational guidance and training courses to which Portuguese workers are entitled.

20. The Committee recommends that the State party ensure stricter application of the legal provisions guaranteeing men and women equal pay for equal work.

21. The Committee suggests that the State party strictly implement the measures at its disposal to monitor and impose the appropriate penalties on persons or companies using child labour.

22. The Committee recommends that the State party intensify its efforts to prevent drug addiction among young people and impose appropriate penalties on persons who commit offences relating to paedophilia, child pornography and trafficking in women. The Committee also recommends that the State party give due consideration to ratifying ILO Convention No. 138 (minimum age).

23. The Committee urges the State party to intensify its campaign against the persisting problem of illiteracy in the State party.

24. The Committee requests the State party to disseminate the present concluding observations widely at all levels of society and reflect their implementation in the next periodic report.

25. The Committee has decided that the fourth periodic report of the State party should be submitted by the State party by 30 June 2005.